

Application No.: 09/851923

Docket No.: SMQ-117/P6141

REMARKS

Claims 1-58 were presented for examination. All the claims are rejected under 35 U.S.C. 102 (b) as being anticipated by Bartoletti et al., "Secure Software Distribution System", 1997 ("Bartoletti"). Upon entry of this amendment, claim 55 is amended. No new matter is added. Applicants respectfully request entry of the amendments under MPEP 714.12. The amendment does not require a new search of prior art upon its merits because the added limitation in claim 55 has already appeared in claim 1, 19, and 37. Claims 1-58 are presented for examination.

Examiner cited Bartoletti to teach each and every limitation in independent claims 1, 19, 37, and 55. Applicant respectfully disagrees. Independent claims 1, 19, 37 and 55 require the limitation of generating a computer object including configuration information on the determined installed components. Bartoletti fails to teach this limitation. Examiner suggested that Bartoletti teaches this limitation on pg. 6, par. 2. However, in this section, Bartoletti discusses that SSDS Agent running on the target system gather information of what operating system, version, and architecture is running on the target, but does not discuss generating a computer object including these information. Additionally, Bartoletti only discusses information collection of the operating system and its architecture, whereas the claimed invention collects information on determined installed components, which may include both installed hardware and software components. In the detailed description of the Applicant's application, installed hardware and software components are used to mean any one of installed software packages, applied patches, firmware revisions, and any other software and/or hardware resources configuration on the host, and not just the operating system and its architecture.

Furthermore, independent claims 1, 19, 37, and 55 require the limitation of for each realization, downloading a realization detector to the computer system, each realization detector determining from the configuration information in the computer object whether the state defined by the realization exists in the computer. Examiner's response to previous Office Action suggested that Bartoletti teaches the step of downloading one or more realization detectors which are used in conjunction with the computer object on the target system to evaluate systems prior to patch installation in pg. 7, par. 3, lines 6-7. However, Bartoletti pointed out in this section that SSDS Agent software would be installed on all systems in the network. However, Applicant respectfully submits that the act of downloading and installing is two very different

Application No.: 09/851923

Docket No.: SMQ-117/P6141

ideas. Furthermore, Examiner seems to suggest that SSDS Agent software is equivalent of one or more realization detectors in the claimed invention. Claims 1, 19, 37, and 55 all recite that each patch is capable of being associated with at least one realization, and for each realization, a realization detector is downloaded to the computer system. In other words, a patch may be associated with multiple realizations, and that would require the downloading of multiple realization detectors. Therefore, it would not make sense if the SSDS Agent software needs to be downloaded multiple times or installed multiple times prior to applying one patch.

As set forth above, Bartoletti does not teach the limitation of generating a computer object, therefore Bartoletti does not teach the step of writing data to the computer object indicating whether the state defined by the realization exists on the computer. Furthermore, Bartoletti only discusses the comparisons of information in patch specifications with respective information on the target system. Bartoletti does not discuss writing data to store the results of the comparisons.

Accordingly, Applicant respectfully submits that Bartoletti does not teach each and every limitation in independent claims 1, 19, 37, and 55. Applicant respectfully requests the Examiner to reconsider and withdraw rejections directed to independent claims 1, 19, 37, and 55 and their corresponding dependent claims 2-18, 20-36, and 38-54.

Application No.: 09/851923

Docket No.: SMQ-117/P6141

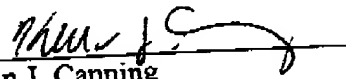
CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-117 from which the undersigned is authorized to draw.

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Respectfully submitted,

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